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Background Paper

Roundtable 3:
Enhancing Institutional and Policy Coherence, and Promoting Partnerships

Session 3.4:
Regional Consultative Processes and Development: Advancing Cooperation

Coordinator of the session: International Organization for Migration (IOM)
Partners for the preparation of the session:

- The Governments of the Netherlands as prior Chair, Ireland as current Chair, and Sweden as incoming Chair of the Inter-Governmental Consultations on Asylum, Refugee and Migration Policies (IGC)
- The Government of Indonesia, as the most recent host of the Regional Consultative Process on the Management of Overseas Employment and Contractual Labour for Countries of Origins in Asia (Colombo Process)
- The Southern African Migration Project (SAMP), which together with IOM serves as the secretariat of the Migration Dialogue for Southern Africa (MIDSA)
- The European Commission
- The United Nations Population Fund (UNFPA)
- The United Nations Conference on Trade and Development (UNCTAD)

Horizontal issues have been treated based on contributions provided by the International Labor Organization, the International Organization for Migration and the Center for Equal Opportunities and Opposition to Racism (Belgium).

Session panel:

Chair/moderator: Kevin O'Sullivan, Director of Immigration Policy, Irish National Immigration Service, Department of Justice, Equality and Law Reform, representing Ireland in its role as the current Chair of the IGC
Speaker: Michele Klein Solomon, Director, Migration Policy, Research and Communications Department, IOM
Discussant: Dr. Endang Sulistyaningsih, Director of Promotion for Overseas Employment, National Agency for Placement and Protection of Overseas Workers, Government of Indonesia, representing Indonesia in its role as the most recent Chair of the Colombo Process
Discussant 2: Mr. Peter Bosch, Principal Administrator, Immigration and Asylum Unit, Directorate General – Justice, Freedom & Security, European Commission
Rapporteur: Vincent Williams, Programme Manager of the Southern African Migration Project (SAMP), which together with IOM serves as co-chair of the Migration Dialogue for Southern Africa (MIDSA)

This background paper has been prepared by the International Organization for Migration in collaboration with the Task Force set up by the Belgian Government for the preparation of the first meeting of the Global Forum on Migration and Development (GFMD). The sole objective of this document is to inform and facilitate the discussion of Roundtable session 3.4 during this first GFMD meeting. It is based on open sources and does not aim to be exhaustive. The organizers do not accept any liability or give any guarantee for the validity, accuracy and completeness of the information in this document. The document does not necessarily reflect the views of the GFMD organizers or the governments or organizations involved in the Roundtable sessions. As the GFMD is an informal process, the document also does not involve any commitment from any of the parties using it in the GFMD discussions. Any reproduction, partial or whole, of this document should cite the source.

I.   Executive Summary

Regional Consultative Processes (RCPs) on migration are informal State-led fora. There are more than a dozen RCPs around the world, most of which have been created in the last decade or so. A list of current RCPs is attached to this background paper at **Annex A**. RCPs perform a variety of functions, including promoting the sharing of information, experiences and good practices between countries and fostering cooperation on migration matters at the regional level.

It has been suggested that RCPs are not concerned with issues relating to migration and development because the officials participating in these processes generally represent ministries responsible for immigration.[i] While this perception is not entirely accurate, the potential role of RCPs in enhancing the contribution of migration to development seems to be under-exploited.

This paper examines how RCPs address, or could address, the opportunities and challenges presented by the links between migration and development. It discusses the factors that facilitate (or impede) the engagement of RCPs with respect to issues relating to migration and development. The paper argues that RCPs broadly fall into three categories in terms of whether, and if so how, they incorporate migration and development into their agendas: i) those that consider migration and development to be a thematic priority; ii) those that link migration and development in their policy agenda on an *ad hoc* basis; and iii) those not concerned with the issue.

The paper also discusses the role of RCPs with regard to regional trade regimes and integration processes as well as how to establish synergies among RCPs and between RCPs and other fora for inter-state cooperation. Finally, the paper makes proposals in two areas: 1) how to integrate development considerations into RCPs to serve capacity-building, policy coherence and/or better governance objectives, and 2) the role of RCPs vis-à-vis the Global Forum on Migration and Development (GFMD).

This background paper draws on a number of sources, including the results of a questionnaire sent to the secretariats of and/or participants in a number of RCPs (the results of which are synthesized in **Annex B** to this background paper);[ii] communications with RCP secretariats and/or participants outside of the questionnaire process; certain primary documents of RCPs (where publicly available); the experience of the International Organization for Migration (IOM) as a supporter of RCPs; and relevant literature on migration management and inter-state cooperation in this area.

II.   Do RCPs address migration and development issues? In what ways?

The substantive foci of RCPs are quite broad, flexible and evolve over time. New issues are often added to the agendas, broadening their scope. Migration-development issues have increasingly been included on RCP agendas.

Migration and Development on RCP Agendas

In terms of incorporating migration-development issues into their agendas, RCPs fall into three broad categories:

1.   Migration and Development as a Thematic Priority

There are RCPs where migration and development is identified as a thematic priority in the founding documents and reappears time after time in the agenda and/or activities of the process. Similarly, there are RCPs which have not explicitly mentioned migration and development in their founding documents, yet frequently address migration and development issues in their agenda and/or activities. RCPs in the Americas, such as the Southern American Conference on Migration (SACM) and the RCM (Regional Conference on Migration or "Puebla Process"), belong to the former category. The Regional Ministerial Conference on Migration in the Western Mediterranean (5+5 Mediterranean Dialogue) also belongs in this category, having made reference to migration and development in its constituent documents and reiterated its commitment to the migration and development theme in subsequent meetings in Tunis, Rabat, Algiers, Paris and Algeciras. African RCP's belonging to the latter category include the Migration Dialogue for Southern Africa (MIDSA) and the Migration Dialogue for West Africa (MIDWA) (see Annex B).

Some RCPs have a specific migration theme also central to the migration and development debate. The key objective of the Regional Consultative Process on the Management of Overseas Employment and Contractual Labour for Countries of Origins in Asia (the Colombo Process) is to promote improved management of labour migration. This includes the protection of, and provision of services to, migrant workers to optimise the benefits of organised labour, as well as capacity-building and data collection to meet labour migration challenges and inter-state cooperation on labour migration. The main issues addressed by the Colombo Process have development implications for origin countries. This RCP therefore identifies the development of sending countries as an explicit goal of this RCP (see Annex B).

2.   Migration and Development as an Ad Hoc *Priority*

The second category includes those RCPs where migration and development is only added to the agenda on an *ad hoc* basis, often in the context of dialogue on a particular migration theme (e.g. trafficking, policy coherence, etc). The Söderköping Process (Cross-Border Cooperation Process), the Inter-Governmental Consultations on Asylum, Refugees and Migration Policies (IGC), and the Dialogue on Mediterranean Transit Migration (MTM) belong to this category.

Although these RCPs are focused on issues not generally considered to be "migration and development" issues, they have at some point taken an interest in the multifaceted linkages between their migration-related thematic priorities and development. For example, migration and development is not a particular issue for the Söderköping Process, primarily concerned with improving border management in Eastern Europe. Nevertheless, remittances and their development impacts was discussed at their most recent "Thematic Workshop on Labour Migration, Remittances and Integration" on 31 May – 1 June 2007. Similarly, when the Dutch Chair of the IGC declared that "policy coherence" would be its working theme for 2005-2006, a workshop that explored the relationship between migration and development was organized. Topics of discussion included remittances, diaspora and circular labour migration.

Issues discussed by RCPs in this second category are mostly technical and linked to governance of migration. Many of them nevertheless have a development dimension. This is particularly apparent in measures taken to combat the root causes of irregular migration. The role of

development aid in addressing the "push" factors of migration is a regular theme in RCPs that specifically focus on irregular migration such as the MTM.

3. *Migration without development*

The final category includes those RCPs which aim to promote good governance in the field of migration, but do not identify migration and development as a priority issue, even in an *ad hoc* way. For example, similar to MTM, RCPs such as the Bali Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process) and the Inter-Governmental Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants (APC) focus on security-related issues such as smuggling and trafficking, as well as movements of refugees and IDPs in the case of APC. However unlike MTM, these consultative processes do not explore the relationship between development and their priority themes.

Development-relevant issues also do not appear in the broad agenda of the Budapest Process. Originally focusing on "control-oriented" themes such as return, readmission, border management and asylum, the Budapest Process has recently paid greater attention to issues such as admission, labour migration, integration and reintegration. However, the development perspective on these issues still remains unexplored in this consultative process.

Concrete Output Related to Migration and Development

All RCPs responding to the questionnaire distributed for purposes of this background paper promote dialogue on migration and development issues in some form, but the activities of many RCPs in this area rarely go beyond the exchange of information and policy practice. The primary outputs by RCPs in this area are declarations and other non-binding recommendations. RCPs such as the RCM and the SACM, which have formally integrated development into their agendas, have been particularly active in issuing recommendations. However, follow-up of declarations is often not easy to organise, and is dependent on resources and political support.

RCPs differ greatly in terms of their political and organizational resources. Some are able to mobilise high-level political support. For example, the RCM and the SACM have an annual forum at the vice-ministerial and ministerial level, respectively, which provide political direction for these RCPs. Well-resourced RCPs such as the IGC and the RCM also have an organizational structure in place that facilitates follow-up of recommendations made at the political level. Typically, this structure involves a technical secretariat, regular technical workshops/meetings on particular themes and/or specific networks of focal points. Less well-resourced RCPs such as the MIDSA and the MIDWA lack this two-tiered structure. These RCPs consist rather of a series of technical meetings, assisted by understaffed technical secretariats and without any high-level political input. There are also RCPs such as the APC that receive ministerial-level input but have no fixed administrative support structure.

Not surprisingly, well-resourced RCPs with a developed organizational structure are generally able to produce more concrete outputs than less well-resourced RCPs. Given its resources and the relatively high political commitment to migration and development issues in the region, the RCM has a better track record in producing concrete outputs than many other RCPs. Many of the proposed activities in the RCM's first Plan of Action (PoA) on migration and development have been followed-up on. This includes a workshop on remittances and productive projects held in Mexico in May 2002 and a forum-workshop on the private sector and migration held in El Salvador in February 2006. The PoA also proposed the development of the Statistical Information

System on Migration in Meso-America (SIEMMES) that was set up in 2001. The system includes data both on migration trends and on remittance flows in the region, which can assist with the design of migration and development related policies at national and regional levels.

Other RCPs have produced concrete migration and development-related outputs on a more *ad hoc* basis. For example, technical secretariats are sometimes approached by participating States to undertake a study on aspects of migration and development. For example, the Pretoria Mission with Regional Functions for IOM, which serves together with the Southern African Migration Project (SAMP) as the secretariat for the MIDSA, has been approached by some MIDSA member States to undertake a migration audit of Poverty Reduction Strategies in Southern Africa.

III.   What helps facilitate the integration of development issues into the agendas of the RCPs?

Specific events or developments often trigger the establishment of RCPs, and consequently these events or developments shape the RCP agendas, at least initially. Examples include changes in migration flows (such as sudden major influxes of irregular migrants) and migration policy (such as new restrictions on entry and stay), political events and concerns over security (for example, linked to events such as the terrorist attacks of September 11, 2001). However, the agendas of RCPs also reflect considerations unrelated to specific events or developments.

Funding

Funding considerations are important factors affecting the agendas of RCPs. Few RCPs are as well-resourced as, for example, the IGC, which only consists of certain industrialized States (members of the Organisation for Economic Co-Operation and Development). Most RCPs do not benefit from a predictable financing mechanism and look to donors for financial support. Where it is provided, donor funding is generally not un-earmarked but tied to a specific activity, such as a workshop or a research study on a specific topic. This type of funding structure provides incentives for under-resourced RCPs to address issues which are also of interest to donors. The result can be supportive of or detrimental to the integration of development considerations into the RCP agenda, depending on donor interest in RCPs pursuing the topic of migration and development. Under-resourced RCPs also often lack the resources to follow-up on activities effectively. Providing these RCPs with additional resources could be one way of ensuring that the engagement of the RCP on migration and development issues moves beyond dialogue to more concrete actions.

Broad Ministerial Representation

Another method of encouraging more "development-oriented" agendas for the RCPs is to broaden the variety of Ministries represented. As RCPs are State-owned processes, their priorities are shaped by their governmental participants. The Ministries of Interior, Justice and, in some cases, Foreign Affairs, were present at the founding meetings of most RCPs and, according to the questionnaire, have been the most consistent invitees to subsequent meetings. The agendas of RCPs, therefore, tend to be shaped by the priorities of these Ministries rather than with principles of development.

However, a closer analysis of the evolution of RCP agendas also shows that although Ministries of Interior, Justice and Foreign affairs have been the most consistent participants, this does not exclude an openness to considering migration and development issues. Most RCPs have broadened their roster of participants on an *ad hoc* basis to include Ministries responsible for

health, economy, planning, social affairs and/or development where relevant to the theme selected for a particular meeting or specific working group.

Participation of Developing Countries

Another factor that facilitates the integration of development into the agenda of RCPs is the extent to which governments of developing countries are represented at RCP meetings. It is no coincidence that development appears most consistently on the agenda of those RCPs, such as the Colombo Process, the 5+5 Dialogue, the MIDSA, the MIDWA, the RCM and the SACM, where governments of developing countries are strongly represented. Development is a national issue for these governments that often transcends ministerial boundaries.

Concern with Policy Coherence

Even when all or most RCP member States are developed countries (such as the IGC member States), development may still reach the RCP agenda. In the case of the IGC, migration and development issues were explored in the context of a broader debate on policy coherence. The case of the IGC demonstrates that as governments become more aware of the need to improve the coordination of policy areas which affect or are affected by migration, the importance of migration and development issues becomes more apparent and migration and development issues are more likely to be considered by the RCP. Greater intra-governmental coherence may imply a more "development-oriented" approach to migration at the national level, which in turn could be reflected in the agenda of RCPs.

A lack of coordination among ministries at the national level certainly poses a challenge to RCPs in terms of follow up. As the issues discussed at RCPs are frequently cross-cutting, problems of responsibility for follow-up action can arise. RCPs have developed different ways of dealing with this particular issue. Some RCPs have established a list of focal points in different Ministries for specific activities. In other cases, participating States may organise regular meetings between the different Ministries and departments responsible for a particular RCP in order to ensure effective coordination. RCPs such as the IGC actively promote greater coordination by establishing a mailing list that covers all branches of government. It is therefore possible for RCPs to facilitate greater coordination between departments and Ministries and to contribute to policy coherence at the national level.

IV.   Linking RCPs with each other and with other mechanisms for inter-state cooperation: Better governance of migration and development?

Migration is an inherently global phenomenon, as migratory routes increasingly cut across different regions. Thus, regional mechanisms of inter-state cooperation could benefit from inter-regional linkages.

Cross-fertilization among RCPs

RCP participants are aware of inter-regional migration patterns and many recognise the need for a greater cross-fertilization between RCPs. In 2005, participants at a workshop co-hosted by IOM and the Global Commission on International Migration (GCIM) which brought together government representatives and secretariats of nine major RCPs worldwide expressed interest in future cross-fertilization, with the general consensus in favour of informal, *ad hoc* interactions versus formal or regularly scheduled interactions. Recognizing that exchange of information and

good practices is one of the most useful benefits of cross-fertilization, IOM is creating a section on its website dedicated to providing a centralized information source on the major RCPs.

Recognition of the benefits of interaction between RCPs has in some cases already been translated into action and exchanges between different RCPs. For example, the RCM, Budapest Process and the APC consulted the IGC on setting up a Secretariat and on data collection methodologies. The IGC has also attended meetings of the APC, while the APC in turn is regularly invited to meetings of the Bali Process. The 5+5 Dialogue, the RCM, the Bali Process and the Colombo Process have all presented on substantive migration issues at MIDSA meetings.

These *ad hoc* exchanges could become more frequent, possibly leading to a series of joint meetings on particular issues of common concern. The Bali Process and the Budapest Process, for instance, organised joint workshops in 2004 and 2005 on return of migrants to their home countries and counter-trafficking, respectively.

Links between RCPs and Regional Trade Regimes and Regional Integration Processes

RCPs are not the only fora for discussions of migration at the regional level. Migration increasingly appears on the agendas of regional organizations and regional trade and/or integration regimes such as the European Union (EU), the Southern African Development Community (SADC), the Economic Community of West African States (ECOWAS), the Common Market of the South (MERCOSUR) and Asia-Pacific Economic Cooperation (APEC). Specific initiatives relating to migration have been carried out by these regional groupings. The SADC regional framework aims to develop policy guidelines to attract and retain health professionals in the public sector to reverse brain drain in the health sector in the region. ECOWAS has introduced the ECOWAS Passport and APEC has put in place an APEC-visa for certain categories of people to facilitate their movement in these groupings' member States. MERCOSUR and ASEAN (Association of Southeast Asian Nations) have instituted mechanisms to facilitate the recognition of qualifications and degrees. As these more formal regional bodies take on migration as a topic of discussion, the question arises of what role RCPs can and should have vis-à-vis these other bodies.

At least two distinct but complementary perspectives exist. One regards the growing involvement of these formal regional bodies in migration as an opportunity for RCPs to gain greater political stature. Participants in RCPs that lack ministerial level consultations, such as the MIDSA, particularly support this view. They believe that linking RCPs to the formal process will boost their political standing in the region and address donor concerns that RCPs often lack concrete follow-up procedures.

The other perspective regards RCPs as a useful mechanism for following up recommendations or agreements reached by more formal regional bodies. For example, many regional free-trade regimes involve agreements on free labour mobility which are not fully implemented. RCPs could provide the migration-related expertise needed to facilitate the implementation of free movement accords (the lack of which is often one of several factors impeding implementation) through capacity-building and appropriate training at the technical level. The MIDWA provides an example of how RCPs can become linked to regional integration regimes. With the support of IOM, the ECOWAS uses the MIDWA as a tool for information-sharing and capacity building of its member states on all aspects of migration while promoting a modernization of its free movement protocol and developing a common approach on migration management in the region.

RCPs may also serve as vehicles for implementation of regional agreements on migration without necessarily being formally linked to the regional integration process. For example, the Budapest Process has provided a forum in which officials from EU member States and accession countries in Eastern Europe could build trust and exchange the technical-level knowledge required for accession countries to change their policies in accordance with EU standards, resulting in more effective implementation of EU migration-related regulations.

New forms of inter-regional cooperation on migration and development could open up a new role for RCPs as partners facilitating technical and programmatic implementation. Recent examples of this type of cooperation are the Euro-African Conference on Migration and Development in Rabat (July 2006) and the EU-Africa Ministerial Conference on Migration and Development in Tripoli (November 2006). Although the declarations/action plans adopted by the representatives of participating countries represent a strong political commitment by the participants, these meetings still require mechanisms to enable the follow-up of these commitments. RCPs (for example, in the case of Europe/Africa cooperation, specifically RCPs in Africa, Europe and the Mediterranean) could be instrumental as one type of vehicle for translating these political commitments into action.

V.   Proposals: Ways to integrate development considerations into RCPs to serve capacity-building, policy coherence and/or better governance objectives; and the role of RCPs vis-à-vis the GFMD

RCPs are state-owned consultative processes. Thus the greater integration of development consideration into the agenda of RCPs can only be promoted by participating States.

Ways to integrate development considerations into the agenda of RCPs:

   1. <u>Promote greater sharing of information about activities and achievements of RCPs</u>

States could facilitate dialogue and information exchange between the RCPs most concerned with migration and development in a more systematic way. For example, this could be achieved through:
- regular biannual meetings;
- a common database on good practice and a website;
- and/or an RCP newsletter.
- …

The question can be posed whether it would be preferable that this cross-fertilization among RCPs remain informal and organized on an ad hoc basis, or whether it would be better to set up formal consultations and regularly scheduled interactions.

More concrete evidence of the linkage between migration and development can help to persuade those States that have not been convinced by the existing evidence base to give greater priority to development-related issues on the agenda of RCPs. For example, gender-disaggregated data can be important to better measure and analyze the impact of migration on development, and to design policies that correspond to diasporas' expectations and needs as well as to the gender specific needs of beneficiaries in the communities and countries of origin.

2. Promote more systematic evaluation of RCPs

In order to establish that RCPs are, indeed, the appropriate vehicles for moving the migration and development debate forward at the regional level, a more systematic evaluation and assessment of RCPs' achievements and impacts could be required. Yet who should be in charge of organising such assessments? There have been very few studies or surveys of RCPs, with this paper being based in part on a preliminary survey largely of RCP secretariats. Such surveys could be broadened to include governments and conducted on a more regular basis, and in much more depth to promote a better understanding of the contribution of RCPs to managing migration for development.

3. Promote greater policy coherence at the national level by encouraging the participation of development actors in RCPs

RCPs could be encouraged by States to promote greater intra-governmental policy coherence and greater coordination between departments and ministries involved in the fields of migration and development at the national level. The pursuit of policy coherence within government can lead to greater awareness of the migration and development linkage at the national and then at the regional level. While the initiative to promote policy coherence has to come from national governments, RCPs can support these efforts by also involving government departments and agencies of developing and developed countries (and where appropriate, non-governmental actors) responsible for development and by facilitating intra-governmental information sharing through appropriate dissemination strategies (e.g. cross-departmental email list as developed by the IGC).

4. Systematic Donor Support

For those RCPs that lack self-sustaining financing, donor support for migration and development activities, and/or systematic support for core activities, could enhance the prospects for integrating migration and development into RCP agendas and activities in a sustainable manner, especially in regions which are of high migration and development interest to the donor community (e.g. MIDSA and MIDWA in Africa).

5. Establish new RCPs in developing regions where they are absent

There may be value in creating new RCPs where RCPs do not exist, such as Eastern Africa and the Great Lakes region. There are opportunities here to create new processes which might have a primary focus on migration and development. There may be a role for the donor community to play in stimulating support for such endeavours.

6. Promote linkages between RCPs and other regional fora

Establishing more formal linkages between RCPs and regional trade and integration regimes can also help to raise the political support of RCPs in the region and beyond. There is great need to explore how RCPs can complement efforts to facilitate movement of labour and strengthen free movement provisions in regional integration.

States may consider further developing links between RCPs and inter-regional political level dialogue, such as the Europe Africa dialogues in Tripoli and Rabat, in part to provide a mechanism for follow-up on political level commitments at a more technical level.

RCPs vis-à-vis the GFMD:

RCPs could complement the activities of the GFMD by providing a testing and dissemination ground for new ideas that the GFMD produces in relevant areas. GFMD results could be brought back to the RCPs for their consideration and possible integration in their work plans/agendas.

A sustainable two-way information flow between RCPs and the GFMD could be encouraged, for example:

- by undertaking regular surveys of RCPs from a migration and development perspective. This would provide an opportunity for RCPs to highlight some of their good practices in the field and feed their achievements into the GFMD, while the issues/points which are highlighted at the GFMD could be included in the next survey.

- by a creating a network of GFMD focal points in different RCPs to support this exchange.

These measures could, over time, serve to enhance the role of RCPs as building blocs for greater global cooperation on issues of migration and development.

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ANNEXES

Annex A: Major RCPs by Thematic Priority (see PDF file)
Annex B: RCPs Development and Policy Coherence by Thematic Priority (see PDF file)

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[i]   See the Report of the Global Commission on International Migration, *Migration in an interconnected world: New directions for action* (2005), p.70.

[ii]   The RCPs receiving the questionnaire included the Intergovernmental Consultations on Asylum, Migration and Refugee Policies (IGC); the Migration Dialogue for Southern Africa (MIDSA); the Ministerial Consultations on Overseas Employment and Contractual Labour for Countries of Origin (Colombo Process); the Bali Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process); the Söderköping Process (Cross-border Cooperation Process); the Regional Conference on Migration (RCM or "Puebla Process"); the Migration Dialogue for West Africa (MIDWA); the 5+5 Dialogue on Migration in the Western Mediterranean (5+5 Dialogue); the Budapest Process; Mediterranean Transit Migration Dialogue (MTM); South American Conference on Migration (SACM) and the Inter-Governmental Asia-Pacific Consultations on Refugees, Displaced Persons and Migrants (APC). Completed questionnaires were received from the first five of these RCPs, the Budapest Process, MTM, SACM and APC; responsive materials (but not questionnaires) were received from RCM and MIDWA; and no response was received from the 5+5 Dialogue. Other regional groups on migration exist, of various types; however, it was not feasible to survey each regional group which could be considered an RCP under various definitions. As a result, a judgment was made to send the questionnaire to a selection of RCPs reflecting regional balance and a wide spectrum of topics of discussion, priorities, and organizational structures.